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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,782	08/27/2003	Ken Takayama	OKI 371	4484

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EXAMINER

RIVERO, ALEJANDRO

ART UNIT PAPER NUMBER

2618

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/648,782	TAKAYAMA ET AL.	
	Examiner	Art Unit	
	Alejandro Rivero	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "CELLULAR PHONE HAVING KARAOKE AND/OR GAME FUNCTIONS REPRODUCED IN A TV".

2. The disclosure is objected to because of the following informalities:

In line 3 of page 5, replace "modulate" with "modulates".

In line 20 of page 12, replace "100c" with "100b".

Appropriate correction is required.

3. Examiner's note: The term "and / or" (which is used in the claims) is interpreted by the examiner to mean either "and" or "or".

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 recites the limitations "*the* image signals and/or *the* sound signals" in lines 2-3. There is insufficient antecedent basis for these limitations in the claim. For the purpose of this examination claim 1 will be treated as reciting "image signals and/or sound signals" in place of "*the* image signals and/or *the* sound signals".
6. Claim 7 recites the limitations "*the* image signals and/or *the* sound signals" in lines 2-3. There is insufficient antecedent basis for these limitations in the claim. For

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the purpose of this examination claim 7 will be treated as reciting "image signals and/or sound signals" in place of "*the* image signals and/or *the* sound signals".

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (US 6,083,009).

Consider claim 1, and the 35 U.S.C. 112 (2nd paragraph) rejection above, Kim et al. disclose a cellular telephone (MS) comprising: conversion means for converting image signals and/or sound signals into TV broadcasting signals and transmission means for transmitting the TV broadcasting signals to a TV receiver (Abstract, column 4 lines 50-63, figure 2 elements 202, 208a and 214, where Kim et al. disclose wireless transmission (see figure 2) of lyrics and displaying them on a TV monitor), wherein the cellular telephone has a function of reproducing image signals and/or sound signals, corresponding to execution of a karaoke function and/or a game function (Column 3 lines 21-55).

Consider claim 7 and the 35 U.S.C. 112 (2nd paragraph) rejection above, Kim et al. disclose a cellular telephone (MS) comprising: a conversion circuit for converting

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image signals and/or sound signals into TV broadcasting signals and a transmission circuit for transmitting the TV broadcasting signals to a TV receiver (Abstract, column 4 lines 50-63, figure 2 elements 202, 208a and 214, where Kim et al. disclose wireless transmission (see figure 2) of lyrics and displaying them on a TV monitor), wherein the cellular telephone has a function of reproducing image signals and/or sound signals, corresponding to execution of a karaoke function and/or a game function (Column 3 lines 21-55).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 4-6 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. in view of Amselem (US 2003/0109219 A1).

Consider claims 4, 6, 10 and 12, Kim et al. disclose all the limitations as applied to claims 1 and 7 above and also disclose means/circuit for mixing (inputting

manipulation signals) sound signals received from the cellular telephone while executing the karaoke function or game function (Column 4 lines 36-39).

However, Kim et al. do not disclose signals received from at least one unit of other cellular telephones.

Amselem discloses signals received from at least one unit of other cellular telephones (Abstract, paragraph [0018]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to mix signals received from at least one unit of other cellular telephones as taught by Amselem, in the device of Kim et al. for the purpose of allowing users of the karaoke service to share recordings with friends at different physical locations (as suggested by Amselem in paragraph [0016]).

Consider claims 5 and 11, Kim et al. as modified by Amselem disclose all the limitations as applied to claims 4 and 10 above and also disclose means/circuit for transferring sound signals after the mixing to the other cellular telephones (Abstract, column 4 lines 50-63, figure 2 elements 202, 208a and 214 of Kim et al., where Kim et al. disclose wireless transmission (see figure 2) of lyrics and displaying them on a TV monitor).

12. Claims 2, 3, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. in view of Haino (US 5,770,811).

Consider claims 2 and 8, Kim et al. disclose all the limitations as applied to claims 1 and 7 above and a display size corresponding to the cellular phone (Column 3 lines 50-52).

However, Kim et al. do not specifically disclose wherein the conversion means enlarge a display size of image data to a display size corresponding to a display of the TV receiver.

Haino discloses selecting a display size of image data to a display size corresponding to the TV receiver (Column 7 lines 27-47, column 14 line 63-column 15 line 14).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to enlarge a display size of image data to a display size corresponding to a display of the TV receiver as taught by Haino in the device of Kim et al. in order to provide the user with a larger display of song lyrics, thus making them easier to read and also allowing more people to view the lyrics which would be helpful when more than one person wants to sing along and view the lyrics while singing.

Consider claims 3 and 9, Kim et al. as modified by Haino disclose all the limitations as applied to claims 2 and 8 above and also disclose wherein the conversion means/circuit are implemented so as to correspond to information on image display size, contained in software or data (display information), for executing the karaoke function or the game function (Column 7 lines 27-47, column 14 line 63-column 15 line 14 of Haino).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Furukawa (US 6,520,776 B1) discloses a portable karaoke microphone device used with a mobile device.

Rovner et al. (US 2003/0117531 A1) disclose a mobile karaoke system to be used with a television receiver.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alejandro Rivero whose telephone number is (571) 272-2839. The examiner can normally be reached M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be "Nick Corsaro", with a stylized flourish at the end.

NICK CORSARO
PRIMARY EXAMINER